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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 VERNON MCNEAL,

11 Petitioner,

No. CIV S-02-1413 LKK KJM P

12 vs.

13 DAVID RUNNELS, Warden,

14 Respondent.

ORDER

15 \_\_\_\_\_/  
16 Petitioner is a state prison inmate, proceeding pro se with this petition for a writ of  
17 habeas corpus under 28 U.S.C. § 2254. On September 23, 2005, this court entered judgment,  
18 denying the petition and on February 24, 2006, denied petitioner's request for a certificate of  
19 appealability.


20 On March 10, 2006, petitioner filed a motion for reconsideration of the denial of a  
21 certificate of appealability. In the meantime, petitioner pursued his appeal. On July 25, 2006,  
22 the Court of Appeals denied petitioner's request for a certificate of appealability. This court is  
23 bound by the Court of Appeals' determination. United States v. Kellington, 217 F.3d 1084,  
24 1092-93 (9th Cir. 2000).

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1 IT IS HEREBY ORDERED that petitioner's request for reconsideration (docket  
2 no. 43) is denied.

3 DATED: March 29, 2007.

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6 LAWRENCE K. KARLTON  
7 SENIOR JUDGE  
8 UNITED STATES DISTRICT COURT  
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